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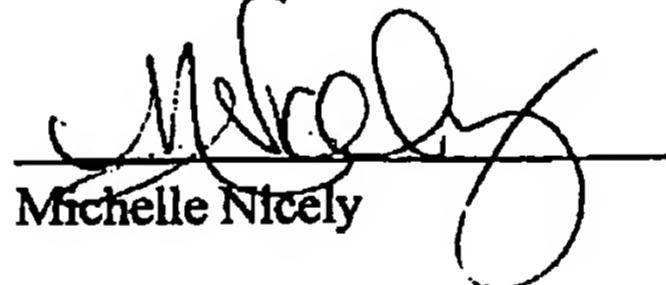
Application No.: 10/621,839

CERTIFICATION OF FACSIMILE TRANSMISSION

In connection with U.S. Patent Application of Philip Eggers et al, Application No. 10/621,839 filed July 16, 2003, I hereby certify that the following **RESPONSE TO NON-COMPLIANT AMENDMENT** is being facsimile transmitted to the Patent and Trademark Office on the date shown below.

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On Oct. 15, 2004
By M. Nicely
Michelle Nicely

PATENT

Attorney Docket No.: A-1-9

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:)
PHILIP E. EGGERS et al.)
Application No.: 10/621,839)
Filed: July 16, 2003)
For: METHODS FOR ELECTROSURGICAL)
TISSUE TREATMENT BETWEEN SPACED)
APART ELECTRODES (AS AMENDED))

) Examiner: Lee Cohen

) Art Unit: 3739

**RESPONSE TO NON-
COMPLIANT AMENDMENT**

Commissioner for Patents
Alexandria, VA 22313-1450

Sir:

This is in response to the Notice of Non Compliant Amendment mailed October 7, 2004,
for which a response is due November 7, 2004. Accordingly, this response is timely filed.